

109TH CONGRESS
1ST SESSION

H. R. 2411

To provide improved benefits and procedures for the transition of members of the Armed Forces from combat zones to noncombat zones and for the transition of veterans from service in the Armed Forces to civilian life.

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2005

Mr. MEEHAN introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committees on Veterans' Affairs and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide improved benefits and procedures for the transition of members of the Armed Forces from combat zones to noncombat zones and for the transition of veterans from service in the Armed Forces to civilian life.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Matthew Boisvert Help Extend Respect Owed to Every
6 Soldier (HEROES) Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—HEALTH CARE

Sec. 101. Minimum standards for postdeployment medical examinations.

Sec. 102. Early identification and treatment of mental health and substance abuse disorders.

Sec. 103. Post-traumatic stress disorder treatment for veterans.

Sec. 104. Contracts for mental health and substance abuse treatment services not available through Department of Veterans Affairs clinics.

Sec. 105. Transmittal to Department of Veterans Affairs of medical records of all members separating from active duty.

Sec. 106. Post-deployment health tracking for veterans of Operation Iraqi Freedom and Operation Enduring Freedom.

TITLE II—TRANSITION ASSISTANCE

Sec. 201. Reauthorization of Service Members Occupational Conversion and Training Act.

Sec. 202. Enhancement of preseparation counseling and transition services.

Sec. 203. Department of Labor transitional assistance program.

Sec. 204. General requirements for transition programs.

Sec. 205. Information sharing between Department of Defense and Department of Veterans Affairs.

Sec. 206. Expansion of Department of Veterans Affairs outreach services.

TITLE III—HOMEOWNERSHIP

Sec. 301. Mortgage assistance.

TITLE IV—EDUCATION

Sec. 401. Repeal of \$1,200 reduction in basic pay required for participation in Montgomery GI Bill educational assistance program.

3 **TITLE I—HEALTH CARE**

4 **SEC. 101. MINIMUM STANDARDS FOR POSTDEPLOYMENT** 5 **MEDICAL EXAMINATIONS.**

6 (a) QUALITY ASSURANCE.—The Secretary of Defense
 7 shall establish an effective quality assurance program that
 8 will help ensure that the Armed Forces comply with the
 9 requirements of section 1074f(d) of title 10, United States

1 Code, in making physical and mental health examinations
2 comprehensive.

3 (b) UNIFORM APPLICABILITY.—The Secretary shall
4 ensure that the content and standards prescribed for
5 predeployment and postdeployment medical examinations
6 are applied uniformly at all installations and medical fa-
7 cilities of the Armed Forces where medical examinations
8 required under this section are performed for members of
9 the Armed Forces returning from a deployment.

10 (c) PHYSICAL EXAMINATIONS.—

11 (1) TIMING.—The physical examination of a
12 member under this subsection shall be conducted be-
13 fore the member receives preseparation counseling
14 under section 1142 of this title.

15 (2) PURPOSE.—The purpose of a physical ex-
16 amination conducted for a member under this sub-
17 section shall be—

18 (A) to determine the immediate health care
19 needs, if any, of the member as of separation
20 and the ongoing health care needs, if any, of
21 the member after separation; and

22 (B) to identify any illness, injury, or other
23 medical condition that may make the member
24 eligible for benefits as a veteran under the laws

1 administered by the Secretary of Veterans Af-
2 fairs.

3 (3) INCLUSION ON SEPARATION FORM.—The
4 results of the physical examination of a member
5 under this subsection shall be included on the sepa-
6 ration form of the member designated as Depart-
7 ment of Defense Form DD-214 (or any successor
8 form).

9 (4) TRANSMITTAL TO VA.—The Secretary con-
10 cerned shall transmit in electronic form to the Sec-
11 retary of Veterans Affairs the results of each phys-
12 ical examination conducted by such Secretary under
13 this subsection.

14 (d) INCLUSION OF SCREENING FOR MENTAL
15 HEALTH AND SUBSTANCE ABUSE DISORDERS.—Any such
16 postdeployment medical examination shall include content
17 and standards for screening for mental health disorders
18 and substance abuse disorders. In the case of acute post-
19 traumatic stress disorder and delayed onset post-trau-
20 matic stress disorder, such examination shall specifically
21 include a personal evaluation to identify stressors experi-
22 enced by servicemembers that have the potential to lead
23 to post-traumatic stress disorders.

24 (e) LIMITATION.—An examination consisting solely
25 or primarily of an assessment questionnaire completed by

1 a member does not meet the requirements of this sub-
2 section for a medical examination and does not meet the
3 requirements of this section for an assessment.

4 (f) WAIVER PROHIBITED.—An examination of a
5 member required under this section may not be waived
6 by the Secretary (or any official exercising the Secretary's
7 authority under this section) or by the member.

8 (g) FOLLOW-UP SERVICES.—

9 (1) ASSISTANCE TO MEMBER.—The Secretary
10 of Defense, in consultation with the Secretary of
11 Veterans Affairs, shall ensure that appropriate ac-
12 tions are taken to assist a member who, as a result
13 of a medical examination carried out under the sys-
14 tem established under this section, is identified or
15 suspected as having an illness (including any mental
16 health condition) or injury.

17 (2) REQUIRED ASSISTANCE.—Assistance re-
18 quired to be provided a member under paragraph
19 (1) includes the following:

20 (A) Care and treatment and other services
21 that the Secretary of Defense or the Secretary
22 of Veterans Affairs may provide such member
23 under any other provision of law, as follows:

24 (i) Clinical services, including coun-
25 seling and treatment for post-traumatic

1 stress disorder and other mental health
2 and substance abuse conditions.

3 (ii) Any other care, treatment, and
4 services.

5 (B) Assistance to enroll in the Department
6 of Veterans Affairs health care system for
7 health care benefits for which the member is el-
8 igible under laws administered by the Secretary
9 of Veterans Affairs.

10 **SEC. 102. EARLY IDENTIFICATION AND TREATMENT OF**
11 **MENTAL HEALTH AND SUBSTANCE ABUSE**
12 **DISORDERS.**

13 (a) ACTIVITIES.—The Secretary of Defense shall
14 carry out activities to foster the early identification and
15 treatment of mental health and substance abuse problems
16 experienced by members of the Armed Forces, with special
17 emphasis on members who have served in a theater of
18 combat operations within the preceding 12 months.

19 (b) REQUIRED ACTIVITIES.—The activities carried
20 out by the Secretary under subsection (a) shall include the
21 following:

22 (1) Conduct of a series of campaigns that use
23 mass media (including radio and television) and
24 other public education tools to change attitudes
25 within the Armed Forces regarding mental health

1 and substance abuse treatment, with the aim of less-
2 ening the stigma associated with mental health and
3 substance abuse problems and the treatment of such
4 problems, including the development of pertinent
5 messaging targeted to—

6 (A) members of the Armed Forces who
7 may be experiencing mental health or substance
8 abuse problems and their family members;

9 (B) commanders and supervisory per-
10 sonnel; and

11 (C) peers of servicemembers who may be
12 experiencing mental health or substance abuse
13 problems or be at risk of such problems.

14 (2) Establishment and implementation at mili-
15 tary installations at which family members of
16 servicemembers reside or congregate of education
17 programs to complement the series of campaigns re-
18 quired under paragraph (1) to help those family
19 members—

20 (A) recognize signs of mental health or
21 substance abuse problems;

22 (B) cope with such problems; and

23 (C) assist such servicemembers in seeking
24 care.

1 (3) Conduct of peer-support training programs
2 at military installations to complement the education
3 programming required under paragraph (2) aimed
4 at having peers encourage servicemembers, as indi-
5 cated, to seek mental health and substance abuse
6 treatment treatment.

7 (4) Conduct of education and training programs
8 for command and supervisory personnel at military
9 installations to complement the education program-
10 ming required under paragraph (2), including edu-
11 cation and training programs on prevention of sui-
12 cide.

13 (5) Establishment and implementation of con-
14 tinuing medical education and training programs on
15 recognizing signs of mental health and substance
16 abuse problems for all clinicians (including physi-
17 cians and nursing personnel) who provide primary
18 medical care to servicemembers and their depend-
19 ents.

20 (c) CONTRACTORS FOR PUBLIC AWARENESS CAM-
21 PAIGNS.—In carrying out the activities required by para-
22 graph (1) of subsection (b), the Secretary shall contract
23 with private not-for-profit entities that have experience in
24 conducting public education activities aimed at reducing
25 the stigma surrounding mental illness and substance

1 abuse to assist in designing the mass media campaigns
2 required by that paragraph.

3 (d) CONTRACTORS FOR DESIGN AND IMPLEMENTA-
4 TION OF EDUCATION AND TRAINING ACTIVITIES.—In car-
5 rying out the education and training activities required by
6 paragraphs (2), (3), and (4) of subsection (b), the Sec-
7 retary shall contract with private not-for-profit entities in
8 proximity to military installations at which such activities
9 are to be conducted and that have experience in promoting
10 mental health and preventing mental and substance abuse
11 disorders to assist in designing and implementing such
12 education and training programs.

13 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated for the Department of De-
15 fense for fiscal year 2006 the sum of \$70,000,000 for pro-
16 grams under this section, as follows:

17 (1) For mass media campaigns under sub-
18 section (b)(1), \$30,000,000.

19 (2) For family support programs under sub-
20 section (b)(2), \$10,000,000.

21 (3) For peer programs under subsection (b)(3),
22 \$10,000,000.

23 (4) For command programs under subsection
24 (b)(4), \$10,000,000.

1 (5) For continuing education programs under
2 subsection (b)(5), \$10,000,000

3 **SEC. 103. POST-TRAUMATIC STRESS DISORDER TREAT-**
4 **MENT FOR VETERANS.**

5 (a) ENHANCED CAPACITY FOR DEPARTMENT OF
6 VETERANS AFFAIRS.—The Secretary of Veterans Affairs
7 shall employ at least one psychiatrist and a complemen-
8 tary clinical team at each medical center of the Depart-
9 ment of Veterans Affairs in order to conduct a specialized
10 program for the diagnosis and treatment of post-traumatic
11 stress disorder and to employ additional mental health
12 services specialists at the medical center.

13 (b) NATIONWIDE OUTREACH.—

14 (1) PROGRAM.—The Secretary of Veterans Af-
15 fairs shall carry out a program to provide nation-
16 wide outreach, including outreach at the community
17 level, to veterans who are or may be suffering from
18 post-traumatic stress disorder.

19 (2) PROGRAM SITES.—The program shall be
20 carried out on a nation-wide basis, including out-
21 reach at the community level, by facilities of the De-
22 partment of Veterans Affairs.

23 (3) PROGRAM CONTENT.—In carrying out the
24 outreach program under this subsection, the Sec-
25 retary shall—

1 (A) conduct a public education campaign
2 to promote early identification of symptoms of
3 post-traumatic stress disorder and other mental
4 health and substance abuse disorders that may
5 be associated with service in the Armed Forces;
6 and

7 (B) seek to raise awareness of services of-
8 fered by the Department of Veterans Affairs to
9 diagnose and treat post-traumatic stress dis-
10 order and other mental health and substance
11 abuse disorders that may be associated with
12 service in the Armed Forces, including individ-
13 ualized case management, counseling, edu-
14 cation, and group therapy.

15 **SEC. 104. CONTRACTS FOR MENTAL HEALTH AND SUB-**
16 **STANCE ABUSE TREATMENT SERVICES NOT**
17 **AVAILABLE THROUGH DEPARTMENT OF VET-**
18 **ERANS AFFAIRS CLINICS.**

19 Section 1703(a) of title 38, United States Code, is
20 amended by adding at the end the following new para-
21 graph:

22 “(9) Psychiatric and mental health services and
23 substance abuse treatment services.”.

1 **SEC. 105. TRANSMITTAL TO DEPARTMENT OF VETERANS**
2 **AFFAIRS OF MEDICAL RECORDS OF ALL**
3 **MEMBERS SEPARATING FROM ACTIVE DUTY.**

4 Chapter 58 of title 10, United States Code, is amend-
5 ed—

6 (1) by inserting before subsection (c) of section
7 1142 the following:

8 **“§ 1142a. Members separating from active duty:**
9 **transmittal of medical records to Depart-**
10 **ment of Veterans Affairs”;**

11 (2) in section 1142a, as designated by para-
12 graph (1)—

13 (A) by striking “(c) TRANSMITTAL OF
14 MEDICAL INFORMATION TO DEPARTMENT OF
15 VETERANS AFFAIRS.—”;

16 (B) by striking “a member being medically
17 separated or being retired under chapter 61 of
18 this title” and inserting “each member of the
19 armed forces being discharged, released from
20 active duty, or retired”;

21 (C) by striking “60 days” and inserting
22 “seven days”; and

23 (D) by inserting “of the member” before
24 the period at the end.

1 **SEC. 106. POST-DEPLOYMENT HEALTH TRACKING FOR VET-**
2 **ERANS OF OPERATION IRAQI FREEDOM AND**
3 **OPERATION ENDURING FREEDOM.**

4 (a) ROSTER.—The Secretary of Defense shall trans-
5 mit to the Secretary of Veterans Affairs, as soon as prac-
6 ticable after enactment of this Act, a roster (including
7 names, dates of birth, and social security numbers) of all
8 members of the Armed Forces who have served in the the-
9 ater of operations during Operation Iraqi Freedom or Op-
10 eration Enduring Freedom. The Secretary of Defense
11 shall transmit updated rosters to the Secretary of Vet-
12 erans Affairs every 180 days thereafter.

13 (b) PURPOSE.—The information on the roster trans-
14 mitted under subsection (a) shall be used to record demo-
15 graphic information on the individuals on the roster and
16 their mental and physical health history, including signs
17 of post-traumatic stress disorder.

18 (c) NOTIFICATION.—The Secretary of Veterans Af-
19 fairs shall notify the individuals on the roster of any sig-
20 nificant developments in research on the health con-
21 sequences of military service during the operations speci-
22 fied in subsection (a).

TITLE II—TRANSITION ASSISTANCE

SEC. 201. REAUTHORIZATION OF SERVICE MEMBERS OCCUPATIONAL CONVERSION AND TRAINING ACT.

(a) EMPLOYMENT TRAINING ASSISTANCE.—The Secretary of Defense shall carry out a program to assist eligible persons in obtaining employment through participation in programs of significant training for employment in stable and permanent positions. The program shall be carried out through payments to employers who employ and train eligible persons in such positions, to defray the costs of necessary training.

(b) AGREEMENTS WITH STATE AGENCIES.—The Secretary (or other implementing official) may enter into contracts or agreements with State approving agencies (as designated pursuant to section 3671 of title 38, United States Code) or other State agencies to carry out duties under the program. The Secretary (or other implementing official) shall require each such State approving agency or other State agency to submit to the Secretary (or other official) a monthly certification of charges submitted for expenses under the program.

(c) ELIGIBLE PERSONS.—For purposes of the program under this section, a person is an eligible person if the person, while a member of the Armed Forces on active

1 duty, served in Operation Enduring Freedom or Operation
2 Iraqi Freedom.

3 (d) INCORPORATION OF PROVISIONS OF 1992 ACT.—

4 In carrying out the program under this section, the Sec-
5 retary shall, to the maximum extent practicable, incor-
6 porate the provisions of the Service Members Occupational
7 Conversion and Training Act of 1992 (10 U.S.C. 1143
8 note).

9 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
10 authorized to be appropriated for fiscal years 2006 and
11 2007 a total of \$45,000,000 for the program under this
12 section.

13 **SEC. 202. ENHANCEMENT OF PRESEPARATION COUN-**
14 **SELING AND TRANSITION SERVICES.**

15 (a) PRESEPARATION COUNSELING AND TRANSITION
16 SERVICES.—Subsection (a) of section 1142 of title 10,
17 United States Code, is amended—

18 (1) in the first sentence of paragraph (1)—

19 (A) by striking “shall (except as provided
20 in paragraph (4)) provide for individual
21 preseparation counseling of” and inserting
22 “shall (except as provided in paragraph (7))
23 provide individual preseparation counseling and
24 additional individualized transition services to”;
25 and

1 (B) by inserting “under conditions other
2 than dishonorable” after “active duty”;

3 (2) by redesignating paragraph (4) as para-
4 graph (7); and

5 (3) by inserting after paragraph (3) the fol-
6 lowing new paragraphs:

7 “(4) For a member of a reserve component being sep-
8 arated from service on active duty for a period of more
9 than 30 days, the Secretary concerned shall require that
10 preseparation counseling and services under this section
11 be provided to such member before the member is sepa-
12 rated.

13 “(5) The Secretary concerned shall ensure that com-
14 manders of members who are required to be provided
15 preseparation counseling and services under this section
16 authorize the members to be provided such counseling and
17 services during duty time.”.

18 (b) INDIVIDUALIZED TRANSITIONAL SERVICES.—
19 Subsection (b) of such section is amended—

20 (1) by striking “COUNSELING.—Counseling
21 under” and inserting “COUNSELING AND ADDI-
22 TIONAL INDIVIDUALIZED TRANSITIONAL SERV-
23 ICES.—Counseling and additional individualized
24 transitional assistance under”;

1 (2) by striking “(4) Information concerning
2 Government” and inserting the following:

3 “(4) Provision of information concerning civil-
4 ian occupations and related assistance programs, in-
5 cluding information about—

6 “(A) certification and licensure require-
7 ments that are applicable to civilian occupa-
8 tions;

9 “(B) civilian occupations that correspond
10 to military occupational specialties; and

11 “(C) Government”; and

12 (3) by adding at the end the following new
13 paragraphs:

14 “(11) Information concerning the priority of
15 service for veterans in the receipt of employment,
16 training, and placement services provided under
17 qualified job training programs of the Department
18 of Labor.

19 “(12) Information concerning veterans small
20 business ownership and entrepreneurship programs
21 of the Small Business Administration and the Na-
22 tional Veterans Business Development Corporation.

23 “(13) Information concerning employment and
24 reemployment rights and obligations under chapter
25 43 of title 38.

1 “(14) Information concerning veterans pref-
2 erence in Federal employment and Federal procure-
3 ment opportunities.

4 “(15) Information concerning homelessness, in-
5 cluding risk factors, awareness assessment, and con-
6 tact information for preventative assistance associ-
7 ated with homelessness.

8 “(16) Contact information for housing coun-
9 seling and assistance.

10 “(17) A description (to be developed with the
11 assistance of the Secretary of Veterans Affairs) of
12 the health care and other benefits to which the
13 member may be entitled under the laws administered
14 by the Secretary of Veterans Affairs.

15 “(18) In the case of a member who, as deter-
16 mined pursuant to the preseparation physical exam-
17 ination conducted under section 1145(d) of this title,
18 may be eligible for compensation benefits under the
19 laws administered by the Secretary of Veterans Af-
20 fairs, a referral (to be provided with the assistance
21 of the Secretary of Veterans Affairs) for a medical
22 examination by the Secretary of Veterans Affairs re-
23 ferred to as a compensation and pension examina-
24 tion.”.

1 (c) ADDITIONAL REQUIREMENTS.—Section 1142 of
2 such title is further amended by adding at the end the
3 following new subsections:

4 “(c) CONTENT RELEVANT TO REGULAR AND RE-
5 SERVE COMPONENT MEMBERS.—The Secretary concerned
6 shall ensure that preseparation counseling and services
7 under this section include material that is specifically rel-
8 evant to the needs of members being separated from active
9 duty from a regular component, the needs of members of
10 the reserve components being separated from active duty,
11 and the needs of members of the National Guard being
12 separated from full-time National Guard duty.

13 “(d) LOCATIONS FOR SERVICES TO BE PROVIDED.—
14 The Secretary concerned shall ensure that the locations
15 at which preseparation counseling and services are pro-
16 vided under this section include the following:

17 “(1) Each military installation under the juris-
18 diction of the Secretary.

19 “(2) Each armory and military family support
20 center of the National Guard.

21 “(3) Each inpatient medical care facility of the
22 uniformed services.

23 “(4) In the case of a member on the temporary
24 disability retired list under section 1202 or 1205 of
25 this title who is being retired under another provi-

1 sion of this title or is being discharged, a location
2 reasonably convenient to the member.

3 “(e) CONSISTENCY OF MATERIALS.—The Secretary
4 concerned shall ensure that the scope and content of the
5 materials presented as part of preseparation counseling
6 and services at each location under this section are con-
7 sistent with the scope and content of the materials pre-
8 sented as part of the preseparation counseling and services
9 at the other locations under this section.

10 “(f) POST-SEPARATION FOLLOW-UP FOR RESERVE
11 COMPONENT MEMBERS.—The Secretary concerned shall
12 ensure that follow-up counseling is provided for each mem-
13 ber of a reserve component separated from active duty not
14 later than 180 days after such separation.

15 “(g) UPDATED CONTENT OF MATERIALS.—The Sec-
16 retary concerned shall, on a continuing basis, update the
17 content of the materials used by the National Veterans
18 Training Institute and other activities of the Secretary
19 that provide direct training support to personnel who pro-
20 vide preseparation counseling and other services under
21 this section.

22 “(h) NATIONAL GUARD MEMBERS ON DUTY IN
23 STATE STATUS.—Members of the National Guard being
24 separated from duty to which ordered under section 502(f)
25 of title 32 shall be provided preseparation counseling and

1 services under this section to the same extent that mem-
2 bers of a reserve component being discharged or released
3 from active duty are provided preseparation counseling
4 and services under this section.

5 “(i) MINIMUM REQUIRED INDIVIDUALIZED SERV-
6 ICES.—(1) In carrying out this section, the Secretary con-
7 cerned ensure that at least eight hours of individualized
8 transition assistance services are provided, in addition to
9 preseparation counseling and group workshops, for each
10 member provided counseling and services under this sec-
11 tion.

12 “(2) In order to ensure that the requirements of
13 paragraph (1) are met, the Secretary concerned shall en-
14 sure, for each fiscal year, that there is allocated, from the
15 appropriate operation and maintenance or military per-
16 sonnel accounts, such amounts as necessary to provide for
17 the individualized transition assistance required under
18 that paragraph for each member expected to receive such
19 services during the fiscal year.”.

20 (d) CLERICAL AMENDMENTS.—(1) The heading for
21 section 1142 of such title is amended to read as follows:

1 **“§ 1142. Members separating from active duty:**
 2 **preseparation counseling and transition**
 3 **services”.**

4 (2) The table of sections at the beginning of chapter
 5 58 of such title is amended by striking the item relating
 6 to section 1142 and inserting the following new items:

“1142. Members separating from active duty: preseparation counseling and
 transition services.

“1142a. Members separating from active duty: transmittal of medical records
 to Department of Veterans Affairs.”.

7 **SEC. 203. DEPARTMENT OF LABOR TRANSITIONAL ASSIST-**
 8 **ANCE PROGRAM.**

9 (a) **ADDITIONAL ELEMENTS OF PROGRAM.**—Sub-
 10 section (b) of section 1144 of title 10, United States Code,
 11 is amended by adding at the end the following new para-
 12 graphs:

13 “(9) Provide information concerning the pri-
 14 ority of service for veterans in the receipt of employ-
 15 ment, training, and placement services provided
 16 under qualified job training programs of the Depart-
 17 ment of Labor.

18 “(10) Provide information concerning veterans
 19 small business ownership and entrepreneurship pro-
 20 grams of the Small Business Administration and the
 21 National Veterans Business Development Corpora-
 22 tion.

1 “(11) Provide information concerning rights
2 and obligations under chapter 43 of title 38.

3 “(12) Provide information concerning veterans
4 preference in Federal employment and Federal pro-
5 curement opportunities.

6 “(13) Provide information concerning homeless-
7 ness, including risk factors, awareness assessment,
8 and contact information for preventative assistance
9 associated with homelessness.

10 “(14) Provide contact information for housing
11 counseling and assistance.

12 “(15) Provide a description (to be developed
13 with the assistance of the Secretary of Veterans Af-
14 fairs) of the health care and other benefits to which
15 the member may be entitled under the laws adminis-
16 tered by the Secretary of Veterans Affairs.

17 “(16) In the case of a member who, as deter-
18 mined pursuant to the preseparation physical exam-
19 ination conducted under section 1145(d) of this title,
20 may be entitled to compensation under the laws ad-
21 ministered by the Secretary of Veterans Affairs, pro-
22 vide a referral (to be provided with the assistance of
23 the Secretary of Veterans Affairs) for a medical ex-
24 amination by the Secretary of Veterans Affairs re-

1 ferred to as a compensation and pension examina-
2 tion.”.

3 (b) REQUIRED PARTICIPATION FOR CERTAIN MEM-
4 BERS.—Subsection (c) of such section is amended to read
5 as follows:

6 “(c) PARTICIPATION.—(1) Subject to paragraph (2),
7 the Secretary of Defense and the Secretary of Homeland
8 Security shall require participation by members of the
9 armed forces eligible for assistance under the program
10 carried out under this section.

11 “(2) The Secretary of Defense and the Secretary of
12 Homeland Security need not require, but shall encourage
13 and otherwise promote, participation in the program by
14 the following members described in paragraph (1):

15 “(A) A member who has previously participated
16 in the program.

17 “(B) A member who, upon discharge or release
18 from active duty, is returning to—

19 “(i) a position of employment; or

20 “(ii) pursuit of an academic degree or
21 other educational or occupational training ob-
22 jective that the members was pursuing when
23 called or ordered to such active duty.

24 “(3) Members of the armed forces eligible for assist-
25 ance under this section include—

1 “(A) members of the reserve components being
2 separated from service on active duty for a period of
3 more than 30 days; and

4 “(B) members of the National Guard being sep-
5 arated from long-term duty.

6 “(4) The Secretary concerned shall ensure that com-
7 manders of members who are required to be provided as-
8 sistance under this section authorize the members to be
9 provided such assistance during duty time”.

10 (c) REQUIRED UPDATING OF MATERIALS.—Such
11 section is further amended by adding at the end the fol-
12 lowing new subsection:

13 “(e) UPDATING OF MATERIALS.—The Secretary con-
14 cerned shall, on a continuing basis, update the content of
15 the materials used by the National Veterans Training In-
16 stitute of the Department of Labor and the Secretary’s
17 other materials that provide direct training support to per-
18 sonnel who carry out the program established in this sec-
19 tion.”.

20 (d) CROSS-REFERENCE AMENDMENT.—Section
21 1144(a)(1) of such title is amended by striking “para-
22 graph (4)(A)” in the second sentence and inserting “para-
23 graph (6)(A)”.

1 **SEC. 204. GENERAL REQUIREMENTS FOR TRANSITION PRO-**
2 **GRAMS.**

3 (a) ACCESSIBILITY OF INFORMATION.—

4 (1) IN GENERAL.—Chapter 58 of title 10,
5 United States Code, is amended by adding at the
6 end the following new sections:

7 **“§ 1154. Transition programs: general requirements**

8 “(a) LOCATIONS.—The Secretary of Defense and the
9 Secretary of Homeland Security shall ensure that the
10 transition programs for members of the armed forces are
11 provided at the following locations:

12 “(1) Each military installation under the juris-
13 diction of the Secretary.

14 “(2) Each armory and military family support
15 center of the National Guard.

16 “(3) Each inpatient medical care facility of the
17 uniformed services.

18 “(4) In the case of a member on the temporary
19 disability retired list under section 1202 or 1205 of
20 this title who is being retired under another provi-
21 sion of this title or is being discharged, a location
22 reasonably convenient to the member.

23 “(b) PARTICIPATION OF MILITARY AND VETERANS’
24 SERVICE ORGANIZATIONS.—The Secretary of Defense and
25 the Secretary of Homeland Security shall ensure that rep-
26 resentatives of military and veterans’ service organizations

1 and representatives of military and veterans' services
2 agencies of States are permitted to participate in transi-
3 tion programs at the locations where assistance under
4 those programs is provided.

5 “(c) TRANSITION PROGRAMS DEFINED.—In this sec-
6 tion, the term ‘transition programs’ means the programs
7 under sections 1142 and 1144 of this title and any similar
8 programs administered by, in conjunction with, or in con-
9 sultation with the Secretary of Defense or the Secretary
10 of Homeland Security.

11 **“§ 1155. Veteran-to-veteran preseparation counseling**

12 “(a) COOPERATION REQUIRED.—The Secretary of
13 Defense and the Secretary of Homeland Security shall
14 carry out a program to facilitate the access of representa-
15 tives of military and veterans' service organizations and
16 representatives of military and veterans' services agencies
17 of States to provide preseparation counseling and services
18 to members of the armed forces who are scheduled, or are
19 in the process of being scheduled, for discharge, release
20 from active duty, or retirement.

21 “(b) ELEMENTS OF PROGRAM.—The program under
22 this section shall include the following elements:

23 “(1) Authorization for representatives of mili-
24 tary and veterans' service organizations and rep-
25 resentatives of military and veterans' services agen-

1 cies of States to participate in the preseparation
2 counseling and other assistance provided to members
3 under the programs carried out under sections 1142
4 and 1144 of this title.

5 “(2) Support for the outreach programs of such
6 organizations and agencies by providing the organi-
7 zations and agencies with the names and addresses
8 of members of the armed forces described in sub-
9 section (a).

10 “(c) LOCATIONS.—The program under this section
11 shall, subject to subsection (e), provide for access to mem-
12 bers at the following locations:

13 “(1) Each installation of the armed forces.

14 “(2) Each armory and military family support
15 center of the National Guard.

16 “(3) Each inpatient medical care facility of the
17 uniformed services administered under chapter 55 of
18 this title.

19 “(4) In the case of a member on the temporary
20 disability retired list under section 1202 or 1205 of
21 this title who is being retired under another provi-
22 sion of this title or is being discharged, a location
23 reasonably convenient to the member.

24 “(d) WAIVER OF ACCESS RESTRICTIONS.—To carry
25 out elements of the program under subsection (b), the Sec-

1 retary of Defense and the Secretary of Homeland Security
 2 may waive the applicable provisions of the regulations pro-
 3 mulgated under section 264(c) of the Health Insurance
 4 Portability and Accountability Act of 1996 (42 U.S.C.
 5 1320d–2 note) to the extent necessary to ensure that rep-
 6 resentatives of military and veterans’ service organizations
 7 and representatives of military and veterans’ services
 8 agencies of States have access to members and former
 9 members of the uniformed services in medical treatment
 10 facilities of the uniformed services.

11 “(e) CONSENT OF MEMBERS REQUIRED.—Access to
 12 a member of the armed forces under the program under
 13 this section is subject to the consent of the member.”.

14 (2) CLERICAL AMENDMENT.—The table of sec-
 15 tions at the beginning of such chapter is amended
 16 by adding at the end the following new items:

“1154. Transition programs: general requirements.

“1155. Veteran-to-veteran preseparation counseling.”.

17 (b) DEPARTMENT OF VETERANS AFFAIRS.—

18 (1) Subchapter I of chapter 17 of title 38,
 19 United States Code, is amended by adding at the
 20 end the following new section:

21 **“§ 1709. Veteran-to-veteran counseling**

22 “(a) COOPERATION REQUIRED.—The Secretary shall
 23 carry out a program to facilitate the access of representa-
 24 tives of military and veterans’ service organizations and

1 representatives of military and veterans' services agencies
2 of States to veterans furnished care and services under
3 this chapter to provide information and counseling to such
4 veterans on the care and services authorized by this chap-
5 ter and other benefits and services available under the
6 laws administered by the Secretary.

7 “(b) FACILITIES COVERED.—The program under
8 this section shall, subject to subsection (d), provide for ac-
9 cess to veterans described in subsection (a) at each facility
10 of the Department or non-Department facility at which
11 the Secretary furnishes care and services under this chap-
12 ter.

13 “(c) WAIVER OF ACCESS RESTRICTIONS.—To carry
14 out the program under this section, the Secretary may
15 waive the applicable provisions of the regulations promul-
16 gated under section 264(c) of the Health Insurance Port-
17 ability and Accountability Act of 1996 (42 U.S.C. 1320d–
18 2 note) to the extent necessary to ensure that representa-
19 tives of military and veterans' service organizations and
20 representatives of military and veterans' services agencies
21 of States have access to veterans described in subsection
22 (a) at the facilities referred to in subsection (b).

23 “(d) CONSENT OF VETERANS REQUIRED.—Access to
24 a veteran under the program under this section is subject
25 to the consent of the veteran.”.

1 (2) The table of sections at the beginning of
2 that chapter is amended by inserting after the item
3 relating to section 1708 the following new item:

“1709. Veteran-to-veteran counseling.”.

4 **SEC. 205. INFORMATION SHARING BETWEEN DEPARTMENT**
5 **OF DEFENSE AND DEPARTMENT OF VET-**
6 **ERANS AFFAIRS.**

7 (a) IN GENERAL.—The Secretary of Defense and the
8 Secretary of Veterans Affairs shall jointly develop proto-
9 cols to facilitate the sharing of information between the
10 Department of Defense and the Department of Veterans
11 Affairs on the matters referred to in subsection (c) with
12 respect to each member of the Armed Forces.

13 (b) PURPOSE.—The purpose of the protocols under
14 subsection (a) is to facilitate determinations by the Sec-
15 retary of Veterans Affairs of the existence and extent of
16 a connection of any illness or injury experienced by a
17 former member of the Armed Forces after separation from
18 the Armed Forces and the exposure of that member to
19 toxic or hazardous substances in the course of the mem-
20 ber’s duties or assignments as a member of the Armed
21 Forces.

22 (c) COVERED MATTERS.—The matters referred to in
23 this subsection with respect to a member of the Armed
24 Forces are as follows:

1 (1) The duties and assignments of the member,
2 including the location of such duties and assign-
3 ments.

4 (2) Any exposures of the member in the course
5 of such duties and assignments to toxic or hazardous
6 substances.

7 (3) Any illness or injury of the member in-
8 curred or aggravated in the course of such duties
9 and assignments.

10 (d) ELEMENTS OF PROTOCOLS.—The protocols on
11 the sharing of information developed under subsection (a)
12 shall include the following:

13 (1) Mechanisms to ensure that the Secretary of
14 Veterans Affairs receives information to facilitate
15 the timely and accurate assessment of the illnesses
16 or injuries of a member of the Armed Forces that
17 may have been incurred or aggravated by the mem-
18 ber's exposure to toxic or hazardous substances dur-
19 ing service in the Armed Forces.

20 (2) Mechanisms that provide, to the maximum
21 extent practicable consistent with the national secu-
22 rity interests of the United States, for the declas-
23 sification of information necessary to achieve the
24 purpose of the protocols.

1 (3) Procedures to ensure that information is
2 shared under the protocols as a matter of routine
3 operations of the Department of Defense and the
4 Department of Veterans Affairs.

5 (e) REPORT.—Not later than one year after the date
6 of the enactment of this Act, the Secretary of Defense and
7 the Secretary of Veterans Affairs shall jointly submit to
8 Congress a report on the protocols developed under sub-
9 section (a). The report shall include such recommenda-
10 tions for legislative or administrative action as the Secre-
11 taries consider appropriate.

12 **SEC. 206. EXPANSION OF DEPARTMENT OF VETERANS AF-**
13 **FAIRS OUTREACH SERVICES.**

14 (a) RESCISSION OF DEPARTMENT OF VETERANS AF-
15 FAIRS MEMORANDUM PROHIBITING OUTREACH.—The
16 memorandum of the Department of Veterans Affairs
17 dated July 18, 2002, from the Deputy Under Secretary
18 for Health for Operations and Management with the sub-
19 ject “Status of VHA Enrollment and Associated Issues”
20 is hereby rescinded. Marketing activities of Directors of
21 health service networks (known as “Veterans Integrated
22 Service Networks”) of the Department of Veterans Affairs
23 to enroll new veterans within their respective networks
24 shall be carried out without regard to such memorandum.

1 (b) FUNDING LIMITATION.—No funds available to
2 the Department of Veterans Affairs may be used to carry
3 out the memorandum referred to in subsection (a) or oth-
4 erwise to implement the policy contained in that memo-
5 randum.

6 (c) VETERANS AT RISK OF HOMELESSNESS.—Sec-
7 tion 2022 of title 38, United States Code, is amended—

8 (1) in subsection (a), by inserting “and mem-
9 bers of the armed forces separating from active
10 duty” after “or imprisonment”;

11 (2) in subsection (b), by adding at the end the
12 following new paragraph:

13 “(7) Plans to provide information concerning
14 homelessness, including risk factors, awareness as-
15 sessment, and contact information for preventative
16 assistance associated with homelessness.”; and

17 (3) in subsection (e)(1), by striking “and” at
18 the end of subparagraph (A), by striking the period
19 at the end of subparagraph (B) and inserting “;
20 and”, and by adding at the end the following new
21 subparagraph:

22 “(C) provision of information concerning home-
23 lessness, including risk factors, awareness assess-
24 ment, and contact information for preventative as-
25 sistance associated with homelessness.”.

1 (d) OUTREACH SERVICES.—Section 7722(c) of such
 2 title is amended by adding at the end the following new
 3 paragraph:

4 “(3) The Secretary shall distribute to each veteran
 5 information concerning homelessness, including risk fac-
 6 tors, awareness assessment, and contact information for
 7 preventative assistance associated with homelessness.”.

8 **TITLE III—HOMEOWNERSHIP**

9 **SEC. 301. MORTGAGE ASSISTANCE.**

10 (a) IN GENERAL.—Section 230 of the National
 11 Housing Act (12 U.S.C. 1715u) is amended by adding at
 12 the end the following new subsection:

13 “(g)(1) The Secretary shall provide assistance and
 14 supplemental assistance under this subsection with respect
 15 to mortgages of members of the Armed Forces who are
 16 seriously injured during service in the Armed Forces, for
 17 the purpose of avoiding foreclosure on the mortgages.

18 “(2) An individual shall be eligible for assistance
 19 under this subsection only if—

20 “(A) the individual has been seriously injured
 21 while on active duty in the Armed Forces; and

22 “(B) the income of the individual is materially
 23 reduced (in the determination of the Secretary) be-
 24 cause of such injury.

1 “(3) A mortgage shall be eligible for assistance under
2 this subsection only if—

3 “(A) the mortgagor is an eligible member of the
4 Armed Forces; and

5 “(B) the dwelling that secures the loan subject
6 to the mortgage is the primary residence of the eligi-
7 ble member of the Armed Forces.

8 “(4)(A) Subject only to the availability of amounts
9 provided under appropriations Acts, the Secretary shall
10 provide assistance under this subsection in the form of
11 monthly payments made by the Secretary to the mort-
12 gagee of an eligible mortgage on behalf of any eligible
13 member of the Armed Forces.

14 “(B) Assistance payments under this paragraph shall
15 be made for the 2-year period beginning upon the serious
16 injury of the eligible member of the Armed Forces.

17 “(C) Assistance payments under this paragraph shall
18 be in the amount determined by the Secretary to be nec-
19 essary to pay any monthly charges during such period for
20 principal, interest, taxes, assessments, ground rents, haz-
21 ard insurance, and mortgage insurance premiums (unless
22 otherwise provided under section 222(c)), and may include
23 an amount necessary to make the payments on the mort-
24 gage current.

1 “(5)(A) Subject only to the availability of amounts
2 provided under appropriations Acts, the Secretary shall
3 provide supplemental assistance under this subsection in
4 the form of monthly supplemental payments made by the
5 Secretary to the mortgagee of an eligible mortgage on be-
6 half of any eligible member of the Armed Forces.

7 “(B) Supplemental assistance payments under this
8 paragraph shall be made for the period beginning upon
9 the expiration of the 2-year period under paragraph
10 (4)(B) and ending upon payment in full of the obligation
11 under the eligible mortgage.

12 “(C) Supplemental assistance payments under this
13 paragraph shall be made in the amount equal to the dif-
14 ference between—

15 “(i) the amount determined by the Secretary to
16 be necessary to pay any monthly charges for prin-
17 cipal, interest, taxes, assessments, ground rents,
18 hazard insurance, and mortgage insurance premiums
19 (unless otherwise provided under section 222(c));
20 and

21 “(ii) 30 percent of the monthly income of the
22 household of the mortgagor.

23 “(D) Supplemental assistance payments under this
24 paragraph may include an amount necessary to make the
25 payments on the mortgage current.

1 “(6) The Secretary may prescribe additional require-
2 ments to carry out this subsection.

3 “(7) For purposes of this subsection:

4 “(A) The term ‘active duty’ means full-time
5 duty in the active military service of the United
6 States. The term includes full-time training duty,
7 annual training duty, and attendance, while in the
8 active military service, at a school designated as a
9 service school by law or by the Secretary of the mili-
10 tary department concerned.

11 “(B) The term ‘Armed Forces’ means the
12 Army, Navy, Air Force, Marine Corps, and Coast
13 Guard, and includes members of the National Oce-
14 anic and Atmospheric Administration and the Public
15 Health Service when assigned to and serving with
16 the Armed Forces.

17 “(C) The term ‘eligible member of the Armed
18 Forces’ means an individual who meets the require-
19 ments under paragraph (2).

20 “(D) The term ‘eligible mortgage’ means a
21 mortgage that meets the requirements under para-
22 graph (3). The term ‘mortgage’ means all first mort-
23 gages and includes mortgages not insured under this
24 title.

1 “(E) The term ‘income’ means income from all
 2 sources and members of the household, including
 3 any benefits and annuities, as determined in accord-
 4 ance with criteria prescribed by the Secretary.

5 “(8) There are authorized to be appropriated such
 6 sums as may be necessary to carry out this subsection.”.

7 (b) EFFECTIVE DATE.—Assistance may be provided
 8 under the amendments made by subsection (a) only with
 9 respect to eligible members of the Armed Forces seriously
 10 injured on or after September 11, 2001.

11 **TITLE IV—EDUCATION**

12 **SEC. 401. REPEAL OF \$1,200 REDUCTION IN BASIC PAY RE-** 13 **QUIRED FOR PARTICIPATION IN MONT-** 14 **GOMERY GI BILL EDUCATIONAL ASSISTANCE** 15 **PROGRAM.**

16 Any reduction in the basic pay of an individual re-
 17 ferred to in section 3011(b) of title 38, United States
 18 Code, by reason of such section 3011(b), or of any indi-
 19 vidual referred to in section 3012(c) of such title by reason
 20 of such section 3012(c), as of the date of the enactment
 21 of this Act shall cease, commencing with the first month
 22 beginning after such date, and any obligation of such indi-
 23 vidual under such section 3011(b) or 3012(c), as the case

- 1 may be, as of the day before such date shall be considered
- 2 to be fully satisfied as of such date.

